

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Bryan O'Neal Benson,)
Plaintiff,)
v.)
S. Yu, Officer, and)
W. Raybourn, Officer,)
Defendants.)

JUDGMENT

No. 5:06-CV-364-BR

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff's action against defendant's Officer Yu and Raybourn is frivolous. Pursuant to 28 USC 1915(e)(2), and for the reasons cogently set forth in defendants' briefs, defendants' motion to dismiss is ALLOWED, and plaintiff's suit is DISMISSED.

This Judgment Filed and Entered on September 10, 2007 and Copies To:

Bryan O'Neal Benson
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Dorothy K. Leapley
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September 10, 2007

/s/ DENNIS P. IAVARONE
Clerk